IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2006

CORAM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM
AND
THE HON'BLE MR. JUSTICE V. DHANAPALAN

WRIT APPEAL No.631 of 2001
..

Sivanthi Vinayaghar Primary School
Rep. By its Secretary
Mamsapuram 626 110
Virudhunagar District. .. Appellant(Petitioner in WP.No.2772/2001)

vs.

1. District Elementary Educational Officer, Virudhunagar
Virudhunagar District.

2. Assistant Elementary Educational Officer, Srivilliputhur
Virudhunagar District. .. Respondents(Respondents in -do-)

Writ Appeal filed under Clause 15 of the Letters of Patent against the order of the Hon'ble Mr. Justice D. Murugesan, dated 02.03.2001 made in W.P.No.2772 of 2001.
(W.P.No.2772/2001 presented under Article 226 of the Constitution of India to issue a writ of certiorari, calling for the records pertaining to the order of the first respondent in his proceedings Na.Ka.No.3944/Aa2/99 dated 29.1.2001, and quash the same).

For appellant : Mr. C. Selvaraju, Sr.counsel
For Mr. S. Mani

For respondents : Mr. M. Dhandapani, AGP(W)
..

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JUDGMENT

(Judgement of the Court was delivered by P. SATHASIVAM,J.)

The above writ appeal has been filed against the order of the learned single Judge dated 02.03.2001 made inWP.No.2772 of 2001, in and by which the learned Judge dismissed the said writ petition filed by the petitioner.

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2. Heard the learned senior counsel for the appellant as well as the learned Additional Government Pleader for respondents.

3. On going through the impugned order of the District Elementary Educational Officer, Virudhunagar dated 29.01.2001 and the reasoning of the learned Judge made in W.P.No.2772 of 2001, we are in agreement with the conclusion arrived at by the learned Judge and we find no valid ground for interference. However, it is made clear that taking note of the defect pointed out in the impugned order and if the said order is not revoked by the concerned Educational Authority till this date, the appellant School is free to make proper representation to vindicate their grievance. It is further made clear that if any such representation is made, the competent authority is directed to consider and dispose of the same in accordance with law.

With the above observation the writ appeal is dismissed. No costs.

kh

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The District Elementary Educational
Officer, Virudhunagar
Virudhunagar District.

2.The Assistant Elementary Educational
Officer, Srivilliputhur
Virudhunagar District.

1 cc to Mr.S.Mani, Advocate, SR.26532

jrg (co)

dv/28.6.06

Judgement in
Writ Appeal No.631 of 2001

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